

DFV



PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 03-876)

In the Application of:

Virgil L. Collins

Serial No.: 10/767,594

Filing Date: January 28, 2004

For: SYSTEM FOR LOADING/
UNLOADING CONTAINERS

Examiner: Adams, Gregory W.

Group Art Unit: 3652

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

In regard to the above-identified patent application:

1. We are transmitting herewith the attached Supplemental Information Disclosure Statement, PTO/SB08B, copies of references, check, and return receipt post card
2. With respect to fees: Enclosed is a check in the amount of \$180.00.
3. Please charge any additional fees or credit over-payments to the Deposit Account No.13-2490.
4. CERTIFICATE UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 21st day of November, 2005

Date:

11/21/05

Respectfully submitted,

By:

David M. Frischkorn
Reg. No. 32,833



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 03-876)

In the Application of:

Virgil L. Collins

Serial No.: 10/767,594

Filing Date: January 28, 2004

For: SYSTEM FOR LOADING/
UNLOADING CONTAINERS

Examiner: Adams, Gregory W.

Group Art Unit: 3652

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Examiner:

Pursuant to 37 C.F.R. Section 1.97-1.98, applicant wishes to make the following information of record in the above-identified application. Applicant recently learned of the existence of the hoist shown in the attached pictures. This hoist was observed at Elliot Equipment in Lincoln, Nebraska. Applicant used its best efforts to investigate the origin, date of manufacture and location of manufacture of the hoist shown in the photographs. Unfortunately, Applicant was unable to learn definitively the date and location of manufacture of the hoist and was unable to determine if any such hoist designs were commercially used, offered or sold in the United States prior to January 28, 2004. Applicant did determine that Elliot Equipment is a dealer for New Way company and that Elliot received the hoist shown in the pictures from New Way approximately two years ago for use as a demonstration model. Regardless of the specific facts surrounding the hoist shown in the photographs, Applicant submits that the device is only cumulative of the prior art before the Examiner. Applicant believes that these photos may be

material to the Examiner's consideration of the pending claims. A completed Form PTO/SB/08B form is enclosed.

Respectfully submitted,

Date: 11/21/05

By: 
David M. Frischkorn
Reg. No. 32,833



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/767,594
Filing Date	January 28, 2004
First Named Inventor	Virgil L. Collins
Art Unit	3652
Examiner Name	Adams, Gregory W.
Attorney Docket Number	03-876

Sheet

of

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		photographs of hoist observed at Elliot Equipment in Lincoln, Nebraska	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.